

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE: COLOPLAST CORP.  
PELVIC SUPPORT SYSTEMS PRODUCTS  
LIABILITY LITIGATION**

**MDL NO. 2387**

**HONORABLE JUDGE JOSEPH R. GOODWIN**

**PRETRIAL ORDER NO. 144**

**(Order Re: Blizzard Mentor Settlement Escrow Account)**

Pending is a Motion for Approval of the Blizzard Mentor Settlement Escrow Account. Blizzard & Nabers, LLP (“Plaintiffs’ Counsel”), as counsel for certain plaintiffs in this MDL 2387, hereby moves for entry of an Order to aid in the efficient processing and administration of a confidential settlement agreement (the “Settlement Agreement”) between Plaintiffs’ Counsel and Mentor Worldwide, L.L.C. (“Mentor”) (Plaintiffs’ Counsel and Mentor, together, the “Parties”) to resolve the claims of certain claimants against Mentor relating to Mentor pelvic implants. [ECF No. 2279]. In particular, the Motion seeks an Order: (1) approving the escrow agreement (“Blizzard Mentor Escrow Agreement”), attached hereto as Exhibit A, which forms a settlement escrow account (“Blizzard Mentor Settlement Escrow Account”), (2) retaining continuing jurisdiction and supervision over the Blizzard Mentor Settlement Escrow Account, and (3) determining that the Blizzard Mentor Settlement Escrow Account is a “qualified settlement fund” within the meaning of section 468B of the Internal Revenue Code of 1986, as amended (“Code”) and Treasury Regulation sections 1.468B-1, *et seq.* (“Regulations”).

The Court, having reviewed the Motion and the Blizzard Mentor Escrow Agreement, and finding good and sufficient cause therefor, hereby FINDS and ORDERS as follows:

1) The Unopposed Motion for Approval of Qualified Settlement Fund [ECF No. 2279] is **GRANTED**;

2) The terms of the Blizzard Mentor Escrow Agreement are hereby approved; and

3) The Blizzard Mentor Settlement Escrow Account constitutes a qualified settlement fund within the meaning of section 468B of the Internal Revenue Code of 1986, as amended (the “Code”) and Treasury Regulation sections 1.468B-1, *et seq.*. The Court further retains continuing jurisdiction and supervision over the Blizzard Mentor Settlement Escrow Account, in accordance with the terms of the Blizzard Mentor Escrow Agreement.

The court **DIRECTS** the Clerk to file a copy of this order in 2:12-md-02387 and it shall apply to each member related case. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at [www.wvwd.uscourts.gov](http://www.wvwd.uscourts.gov).

ENTER: November 30, 2018

  
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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE